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Subject: OCSPP News for May 13, 2021

OCSPP Daily News Round-Up

General EPA

- Bloomberg Law 05/13; [Funding Cuts Caused EPA Enforcement to Plummet, Watchdog Says](#)
- Chemical Watch 05/13; [US EPA round-up](#)
- E&E News 05/13; [Senators question nominees on water, chemical rules](#)
- Inside EPA 05/10; [Senate Environment Panel Weighs EPA Nominations; Comments Due On EPA PFAS Plan](#)

Toxics

- Bloomberg Law 05/12; [EPA Urged to Fine Chevron Phillips for Chemical Reporting Breach](#)
- Inside TSCA 05/12; [Freedhoff Vows Quick, 'Protective' TSCA Rules At Confirmation Hearing](#)
- Inside TSCA 05/12; [Former Official Expects EPA To Boost Equity Data In TSCA Prioritization](#)
- Inside TSCA 05/12; [CEH Targets Chevron Phillips In Push Against 'Widespread' CDR Violations](#)
- Inside TSCA 05/12; [EPA's TSCA Announcements Spark Stakeholder Clashes On Next Steps](#)
- WCMU 05/13; [State Health Department Begins Measuring PFAS Concentrations In Firefighters](#)

Pesticides

- EcoWatch 05/13; [A Pesticide Linked to Brain Damage in Children Could Finally Be Banned](#)
- Popular Science 05/13; [The main ingredient in RoundUp doesn't just kill plants. It harms beetles, too.](#)

COVID/Disinfectants

- Chemical Watch 05/13; [US EPA, industry groups condemn unproven claims of antimicrobials' protection against Covid-19](#)

Blog/OpEd/Other

- Bergeson & Campbell Blogs 05/13; [EPA Begins Environmental Justice Consultations on Risk Management Rulemakings for Asbestos, Part 1: Chrysotile Asbestos and PV29](#)
- National Law Review (Bergeson & Campbell) 05/13; [Senate Committee Holds Hearing on Nominee for EPA Assistant Administrator for Chemical Safety and Pollution Prevention](#)

- Safer Chemicals, Healthy Families 05/13; 100% of breast milk samples tested positive for toxic “forever chemicals”

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Funding Cuts Caused EPA Enforcement to Plummet, Watchdog Says

Stephen Lee, Bloomberg Law

<https://news.bloomberglaw.com/environment-and-energy/funding-cuts-caused-epa-enforcement-to-plummet-watchdog-says>

The EPA’s enforcement has been dropping dramatically, driven by budget cuts and shifting approaches across several administrations, the agency’s internal watchdog said in a Thursday report.

As a result, the Environmental Protection Agency “may not be adequately addressing violators, who thereby gain an advantage over regulated entities that comply” with environmental rules, according to the agency’s Office of Inspector General.

The reductions were driven in part by cuts in enforcement personnel—the EPA lost 675 enforcement officers between fiscal 2007 and 2018. Other factors included leadership decisions to pursue cases that they deemed the most serious and an increased reliance on state enforcement programs and compliance assistance, the report concluded.

In response, the Biden EPA acknowledged the falling numbers and said officials are analyzing the enforcement program’s needs and planned activities.

But the agency also disagreed with the inspector general’s recommendation to do a workforce analysis to uncover resource imbalances, saying such efforts are “expensive, time-consuming, and a cause of discord, and they also can create a false sense of analytical precision.”

Falling Penalties, Cases

The amount of penalties the EPA collected fell from \$6.1 billion in fiscal 2016 to \$69 million in 2018, and the injunctive relief collected fell from \$21.3 billion in fiscal 2011 to \$3.9 billion in 2018, the report found.

Further, from fiscal 2007 to 2018, the EPA started 52% fewer cases, completed 58% fewer enforcement actions with injunctive relief, and did 53% fewer enforcement actions with penalties.

Reductions were found broadly across most of the EPA’s statutes and geographical regions.

The inspector general also did limited analyses of the fiscal 2019 and 2020 enforcement results and found continued reductions. Compared to fiscal 2018, 11 of 15 national enforcement measures continued to fall in 2019. But the penalties assessed and the value of injunctive relief perked back up, mostly driven by two large cases, the report found.

Leadership Decisions

EPA managers told the investigators that “settling cases tends to be a more attractive option than spending money on costly litigation.”

Obama-era enforcement chief Cynthia Giles said the agency pursues some high-profile cases “to demonstrate a field presence and to serve as deterrents to noncompliance,” although the inspector general said the effects of that strategy are hard to measure.

In some cases, policy stances by senior leadership colored the agency’s results, according to the report. For example, under President Donald Trump, the EPA implemented two new policies that required more approvals from agency officials during the enforcement process, including a 2018 directive that required case teams to alert regional

administrators before referring matters to the Justice Department. That policy has since been revoked.

EPA officials also told the inspector general that the recent reliance on state programs raises problems, because states are inconsistent in their enforcement. Giles said many states “will not ask the EPA to bring enforcement cases, much to the detriment of people who live in those states,” the report found.

Reversing the Trend

The agency’s enforcement trendlines are likely to change under EPA Administrator Michael Regan. In his first all-hands meeting with agency personnel in March, Regan said “the real power behind enforcement is making sure that our rules, our regulations, and our policies have the teeth behind what we’re after, which is protecting the environment and public health.”

The meeting was shared with Bloomberg Law by an agency employee who wasn’t authorized to speak publicly.

President Joe Biden has also signaled he wants the Justice Department to increase enforcement against polluters. His budget proposal envisions a 21% increase for the EPA, including \$110 million for more overall staffing.

Democrats in Congress have repeatedly...

US EPA round-up

N/A, Chemical Watch

<https://chemicalwatch.com/264357/us-epa-round-up>

EPA to hold environmental justice consultations for asbestos, PV29 TSCA risk management rules

The US EPA has asked the public to share environmental justice considerations to inform its development of TSCA risk management rules for asbestos and pigment violet 29.

The agency is accepting public comments until 13 August and will hold identical consultation webinars on 1 June and 9 June. Both sessions will provide an overview of TSCA risk management requirements and tools, findings from the risk evaluations of the two substances and an opportunity to raise environmental justice concerns.

The EPA is due to propose regulations to address the unreasonable risk identified in its asbestos, part 1 and PV29 risk evaluations by mid-January 2022.

While outreach on these risk management activities moves forward, the agency is also reviewing the evaluations "to ensure that they reflect the best available science and protect human health and the environment", it said.

Agency expands paperless TSCA communications

The EPA has added a new application to its electronic reporting site, the Central Data Exchange (CDX), that will allow users to submit certain TSCA reports and requests paperlessly.

The application, which sits under the chemical safety and pesticide programmes (CSPP) dataflow, will allow for the digital submission of:

general confidential correspondence;

requests for chemical information;

pre-manufacture notice (PMN) corrections for submissions made prior to 2016; and

copy of record requests.

The agency will continue to accept paper documents, but recommends the use of electronic communications.

EPA launches electronic application builder to help pesticide registrations

The EPA has launched an electronic Confidential Statement of Formula (CSF) application builder that is intended to make it easier to submit pesticide registration applications.

Required with every new pesticide product registration, a CSF lists every component in a product and their percent by weight along with various additional information.

Currently, CSF applications must be submitted to the EPA in hard copy. The electronic builder will automatically validate data in an application and "make the pesticide registration process more efficient, saving EPA and registrants time and resources," the agency said.

Paper CSF forms remain available, but the EPA recommends submitting applications electronically as the review of paper applications could be a longer process.

Inspector general spotlights decline in EPA enforcement

Limited resources, leadership decisions and workforce culture led to a decline in US EPA enforcement from 2007 to 2018, potentially exposing the public and the environment to harmful pollutants, the agency's Office of Inspector General (OIG) said in a report issued on 13 May.

The EPA does not generally report data for informal enforcement actions like notices of noncompliance, 86% of which were issued under TSCA, the agency watchdog said.

It recommended that the EPA conduct a workforce analysis to assess its "capacity to maintain a strong enforcement field presence", and offered a number of steps for the EPA to improve the way it reports its enforcement achievements.

Webinar series on non-animal test methods

The EPA has announced a webinar series in partnership with People for the Ethical Treatment of Animals (Peta), Unilever and Syngenta to support its work to reduce, refine and replace vertebrate animal testing.

The three-part virtual workshop series, "Using in silico and in vitro approaches for next generation risk assessment of potential respiratory toxicants", will take place on 19 May, 26 May and 2 June.

Senators question nominees on water, chemical rules

E.A. Crunden and Ariel Wittenberg, E&E News

https://www.eenews.net/eedaily/2021/05/13/stories/1063732457?utm_campaign=edition&utm_medium=email&utm_source=eenews%3Aeedaily

EPA chemicals nominee Michal Freedhoff got a warm welcome yesterday from the Senate Environment and Public Works Committee. Water pick Radhika Fox got a more intense grilling.

Senators pushed the nominees on a variety of issues, including a major Obama-era water rule and contamination from so-called forever chemicals.

They also focused on EPA's broader work under the Toxic Substances Control Act (TSCA) and the agency's shift in identity after the Trump administration.

Freedhoff largely avoided any major hardball questions, while Fox kept answers vague in response to repeated queries regarding Clean Water Act rulemaking.

Both nominees have already been serving at EPA while awaiting confirmation and have some familiarity with their offices.

Freedhoff, who worked for years on the Hill and most recently as EPW Democratic oversight director, sparked enthusiasm upon her return.

Chairman Tom Carper (D-Del.) praised her "profound understanding of chemicals oversight and chemicals policy." Sen. Ed Markey (D-Mass.), another former Freedhoff employer, offered a personalized introduction for the Office of Chemical Safety and Pollution Prevention nominee. "For Dr. Freedhoff, the periodic table of elements is her alphabet," Markey said.

That reception was later echoed by Sen. Jim Inhofe (R-Okla.), who spoke to Freedhoff's children in attendance. "Your mama is probably the only person in America who will have equal praise from Sen. Markey and me," he told the nominee's daughters.

Fox, a former water utility official who served as CEO of the nonprofit U.S. Water Alliance, also saw a relatively friendly reception and acknowledgement of her historic nomination.

The water office contender referenced her background as a first-generation South Asian American woman in opening remarks.

Fox also touted equity and the importance of centering the "lived experience of those who are impacted by our decisions," including communities of color in areas like Flint, Mich.

Fox's supporters include David Ross, who led the water office under former President Trump (E&E News PM, May 5). Freedhoff also received enthusiastic backing from seven of her predecessors in a letter sent to Carper and EPW Committee ranking member Shelley Moore Capito (R-W.Va.) last week.

WOTUS tensions

One of the few contentious topics revisited throughout the hearing related to regulations defining which wetlands and waterways are protected by the Clean Water Act.

Fox remained vague about EPA's plan to rewrite the definition of waters of the U.S. (WOTUS), which has changed multiple times over the past two administrations.

First, the Obama administration wrote a Clean Water Rule to protect streams and wetlands with chemical, hydrologic or biological connections to larger downstream waterways.

That was repealed by the Trump administration, which released a replacement, the Navigable Waters Protection Rule, which erased federal protections for more than half of the nation's wetlands and more than 18% of streams. Some of those protections had been in place since the 1980s.

Republican senators on the committee peppered Fox with questions about the Biden administration's plans — in particular explaining how the 2015 rule was burdensome to farmers.

Fox avoided committing to specifics about what waterways the Biden administration would want to cover with a new definition, saying only that she is looking for "an enduring definition" of WOTUS.

She pledged to "listen to stakeholders," including farmers, and said EPA will determine how to move forward "based on that feedback and based on the science and the economic analysis."

"We don't want to see this pingpong anymore," she said. "Our career staff at EPA has written three rules in six years. That seems crazy to me."

That answer wasn't good enough for Inhofe, a frequent critic of the Obama rule, who asked "what specifics are objectionable" about the Trump-era WOTUS definition.

Fox played both sides, raising concerns about...

Senate Environment Panel Weighs EPA Nominations; Comments Due On EPA PFAS Plan

N/A, Inside EPA

<https://insideepa.com/the-week-ahead>

The Senate environment committee is holding a hearing this week to consider President Joe Biden's nominations to lead EPA's water and toxics offices. And EPA will close the public comment period on its plan for monitoring 29 per- and polyfluoroalkyl substances (PFAS) in public water supplies.

EPA Nominations

The Senate Environment & Public Works Committee will hold a hearing May 12 on President Joe Biden's nominees to lead EPA's water and toxics offices, and an Interior Department nominee. The panel will consider the nominations of Radhika Fox to serve as EPA assistant administrator of the Office of Water, Michal Freedhoff to serve as EPA assistant administrator for the Office of Chemical Safety and Pollution Prevention, and Shannon Estenoz to serve as assistant secretary of fish and wildlife and parks at the Interior Department.

PFAS Monitoring

EPA will close the comment period on May 10 for comments on its fifth unregulated contaminant monitoring rule under the Safe Drinking Water Act that would require public water systems to collect national occurrence data for 29 per- and polyfluoroalkyl substances (PFAS) and lithium.

Environmental Justice

The White House Environmental Justice Advisory Council, which is identifying priorities for its likely recommendations on possible changes to a Clinton-era executive order on boosting environmental justice, will hold a May 13 public meeting. The meeting's agenda was not available at press time.

The Society of Environmental Journalists will host a May 11 webinar titled, "What Would Real Environmental Health & Justice Look Like?" The speakers will include Texas Southern University Professor Robert Bullard, known as the "father of environmental justice;" former Obama EPA Region 4 Administrator Heather McTeer Toney; and Matthew Tejada, director of EPA's Office of Environmental Justice.

The Environmental Data and Governance Initiative will sponsor a May 13 webinar on environmental justice and EPA data accessibility in Latinx communities.

Congressional Hearings

The House Energy & Commerce environment and climate change subcommittee will hold an online legislative hearing May 13 on the Superfund provisions in H.R. 1512, the CLEAN Future Act. The Superfund provisions would reinstate the long-expired Superfund taxes on industry.

The House Natural Resources subcommittee on indigenous peoples of the United States will hold a May 13 oversight hearing on environmental justice in indigenous communities.

The House Agriculture subcommittee on conservation and forestry will hold a hearing, "Title II Conservation Programs: Exploring Climate Smart Practices," on May 12.

The Senate Environment & Public Works Committee's transportation and infrastructure panel will hold a hearing May 11 on equity in transportation infrastructure.

Water Infrastructure

EPA will host a May 12 webinar titled, "Financing Green Infrastructure: Best Practices from the Clean Water State Revolving Fund."

Coal Ash

EPA will close its comment period May 11 on its notice of data availability providing new information on the potential beneficial reuse of coal ash in certain products. The agency reopened the comment period for an additional 60 days starting March 12.

Climate Change

Law firm Beveridge & Diamond will host a May 11 webcast to discuss key legal drivers for climate change actions, featuring former Obama Department of Justice official John Cruden as a panelist.

The Environmental and Energy Study Institute will sponsor a May 12 webcast to discuss the Biden administration's new greenhouse gas emission reduction goal of lowering emissions by more than 50 percent by 2030.

Law firm K&L Gates will host a May 11 webinar titled, "Federal Initiatives to Accelerate the Growth of Clean Energy and Carbon Capture."

GTI, a research, development and training organization focused on energy and environmental challenges, on May 12 will sponsor a webcast titled, "Producing Low or Negative Carbon Fuels from Sustainable Biomass..."

EPA Urged to Fine Chevron Phillips for Chemical Reporting Breach

Pat Rizzuto, Bloomberg Law

<https://news.bloomberglaw.com/environment-and-energy/epa-urged-to-fine-chevron-phillips-for-chemical-reporting-breach?access=ticket=eyJjdHh0IjoITkVWRSIsImklkIjoIMDAwMDAxNzktNjA5Ny1kNWFiLWE3N2QtNjU5NzBhNDcwMDAxliwic2lnIjoianJ4TjQwR21N20trViszTETFM2xQaitkUXk4PSIsInRpbWUiOiJxNjIwOTA0NDk0IiwidXVpZCI6IiRTVTRqWTBZMnNtSWxZRkEzZHdCUmc9PVdQc3lrSDQrOTByRzV1dXFEanVxOEE9PSIsInYiOiIxIn0%3D>

Chevron Phillips Chemical Co. LLC must pay a fine for allegedly failing to report three years of toxic chemical imports to the EPA, an environmental group's attorney said Wednesday.

The Center for Environmental Health expects the Environmental Protection Agency "to assess substantial penalties" on the petrochemical company, said Robert M. Sussman, an attorney with Sussman and Associates, representing the center. Chevron Phillips is jointly owned by Chevron Corp. and Phillips 66.

"We have communicated this expectation to EPA and will be watching to see what they do," Sussman said.

Chevron Phillips failed to report more than 359 million pounds of benzene imports and more than 60 million pounds of dichlorobenzene (DCB) imports between 2013 and 2015, according to the center's analysis of import records. Benzene is classified as a known carcinogen by the Department of Health and Human Services, while DCB is an anticipated human carcinogen.

Chevron sent a statement Tuesday: "We generally don't comment on matters under consideration by a regulatory agency." The EPA also declined to comment on ongoing or potential enforcement actions.

Omitted Data

The center notified Chevron Phillips in February of the missing benzene data, saying it intended to sue regarding an alleged violation of the Toxic Substances Control Act. The center sent a second "intent to sue" letter on May 7 regarding the DCB imports.

The investigation triggered a company audit that found Chevron Phillips had failed to report benzene and other data, the company's law firm told the center last month. Chevron Phillips eventually provided the missing information under an EPA policy that allows companies to self-report missing information they later discover. The company considers the matter resolved, Ryan J. Carra, a principal with Beveridge & Diamond PC wrote.

An EPA spokesperson, speaking generally, said companies must correct errors if they identify a mistake in information they should have reported under the Chemical Data Reporting rule. The EPA uses the chemical production, import, and other data collected under the rule to help protect the public from potential chemical risks.

Sussman, who served as EPA's deputy administrator from 1993 to 1994, said the agency's policies prevent it from waiving penalties in this case. Chevron Phillips didn't discover the violation on its own, acting only after the center notified the company, he said. It should get "no credit for self-disclosure or other mitigating factors," he said.

'We're Not Scared'

The Center for Environmental Health is considering its own legal action against Chevron Phillips, its CEO, Michael Green, said.

"Yes they are a very powerful multibillion dollar company, and we're a relatively small nonprofit. But we're not scared of them, and we're going to stick it to them, our reason for being to protect the health of people and all living things from toxic chemicals like benzene," he said.

The information Chevron Phillips and other chemical manufacturers must provide under the Chemical Data Reporting rule is essential to protect workers, local communities, and the general public, Green said.

"If the local regulators or grassroot groups there don't know what's in their air, if workers don't know what they're being exposed to, they can't take actions to protect people's health," he said.

At the national level, the EPA uses this data to decide what chemicals need attention and to craft policies, he said. "EPA's actions are skewed if it doesn't have the information."

To contact the reporter on this story: Pat Rizzuto in Washington at prizzuto@bloombergindustry.com

Freedhoff Vows Quick, 'Protective' TSCA Rules At Confirmation Hearing

David LaRoss, Inside TSCA

<https://insideepa.com/tsca-news/freedhoff-vows-quick-protective-tsca-rules-confirmation-hearing>

Michal Freedhoff, the Biden administration nominee to lead EPA's chemical safety office, vowed during her May 12 confirmation hearing to quickly craft "protective" TSCA rules for existing chemicals, and promised lawmakers that her plan to step up consideration of worker safety will not produce burdensome mandates.

In remarks to the Senate Environment and Public Works Committee (EPW), Freedhoff, currently the office's top political official, said that even though she is considering revisions to the 10 Toxic Substances Control Act (TSCA) evaluations of existing chemicals completed by the Trump EPA, she intends to swiftly issue management rules based on their risk findings.

"We're going through those first 10 pretty intensively, but we also recognize that the point of TSCA was to write chemical safety rules that are protective," she told Sen. Ed Markey (D-MA) in response to a question on her schedule for regulating chemicals' uses under the reformed chemicals law.

"What we're doing right now is, we're taking a forensic look back at the evaluations that were completed in the last administration. Our objective is to move as many of them into [regulation] as quickly as possible," she added.

Freedhoff was one of three nominees who appeared before on May 12, alongside prospective EPA water office chief Radhika Fox and Shannon Estenoz, the Department of Interior nominee as assistant secretary for fish and wildlife and parks.

But even though the Senate is split 50-50, all three appear headed for confirmation as no GOP members of the panel even suggested a potential “no” vote.

And they were particularly friendly to Freedhoff, who was previously director of oversight for EPW’s Democratic caucus and helped craft the reformed TSCA that passed in 2016 -- a resume that observers predicted would ease her path ahead of the hearing.

For instance, Sen. James Inhofe (R-OK), who chaired EPW when Congress approved the new law, called her “probably the only person in America who will have equal praise from Sen. Markey and me,” and said her work was key to winning near-unanimous support among lawmakers for the revised TSCA.

EPW members’ questions for Freedhoff focused largely on overall TSCA implementation concerns, especially her previous pledge to “surgically” reopen some or all of the 10 Trump-era evaluations while continuing work on risk management rules to address the chemical uses that those studies found to pose “unreasonable” risks.

She has not announced which evaluations she is targeting, but in a March 10 memo to staff, she identified evaluation of the common solvent trichloroethylene (TCE) as an instance of “political interference” in the chemicals office’s work.

Speaking to Markey at the hearing, Freedhoff said her priority is to ensure that EPA’s TSCA rules are “protective” and “defensible,” including by bolstering their scientific basis as necessary.

And she told EPW Chairman Sen. Tom Carper (D-DE), “I think there was a lot of good work that went into those evaluations, but I think a lot of them were rushed as well.”

Worker Safety

Freedhoff also used her exchange with Carper to defend her announcement that EPA would drop a Trump-era policy of assuming that workers will use protective gear when dealing with toxic chemicals. Environmental and labor groups have welcomed the shift but industry says it will duplicate existing requirements from the Occupational Safety and Health Administration (OSHA) for workers to use that gear.

During the hearing, Freedhoff said she intends to avoid that scenario, and that if a risk evaluation finds that following current OSHA standards is enough to mitigate risks to workers, “then our rule is just going to say ‘follow OSHA rules.’”

Similarly, she said, if prevailing industry practices are sufficient, EPA’s rule would say to “just keep doing what you’re doing.”

She added that her priority for the program is to ensure that risks to workers are part of each TSCA chemical, even if there is no...

Former Official Expects EPA To Boost Equity Data In TSCA Prioritization

Diana DiGangi, Inside TSCA

<https://insideepa.com/tsca-news/former-official-expects-epa-boost-equity-data-tsca-prioritization>

A former Trump EPA chemicals official says he expects EPA’s incoming chemicals chief to give a “quite favorable” response to a request from the agency’s children’s health advisers to rework how it prioritizes chemicals for TSCA

review, and especially to strengthen its use of chemical data to identify vulnerable communities.

"I suspect the response that will probably be written by Michal Freedhoff, who is going through a confirmation hearing today and will no doubt be confirmed," said former EPA official and current Keller and Heckerman attorney David Fischer during a May 12 webinar hosted by the firm.

He was speaking less than an hour after the Senate Environment and Public Works Committee finished its confirmation hearing for Freedhoff and two other Biden administration nominees -- a hearing where her approval by the upper chamber appeared all but assured, as members of both parties voiced support for her as the next assistant administrator for the Office of Chemical Safety and Pollution Prevention (OCSPP)

"The administrator will no doubt ask her to help draft a response, and I suspect the response will be quite favorable to" the agency's Children's Health Protection Advisory Committee (CHPAC), Fischer said.

CHPAC in a Jan. 26 letter outlined four recommendations for OCSPP to strengthen how it prioritizes existing chemicals for evaluation under the Toxic Substances Control Act, in response to a Trump-era request for advice from the panel.

The letter urged EPA to review existing toxicity data through a children's-health lens, prioritize chemicals present in articles like toys, and to aggressively use TSCA authority including section 4 test orders and section 8 reporting mandates to fill data gaps before selecting chemicals for prioritization.

EPA's Jeanne Briskin, director of the Office of Children's Health Protection, already told CHPAC during a May 3 meeting that a substantive response to the letter is in the works, but Fischer said observers expect that answer to come soon -- "probably in the next month or so" -- and to agree with much or all of the panel's TSCA agenda.

"The letter is their response to the charge questions that [former chemicals chief Alex Dunn] and I gave CHPAC, and it's a relatively lengthy letter and has some very interesting and helpful aspects," Fischer said.

Fischer said he expects Freedhoff to focus in particular on CHPAC's call to use TSCA data, such as from the Toxics Release Inventory (TRI) and Chemical Data Reporting (CDR) program, to target chemicals that pose risks to vulnerable populations, which can include children but also low-income and minority communities.

"I think in light of what Freedhoff testified today, I suspect she will be quite receptive to what's stated in this January 26 letter," Fischer said. She did not specifically address prioritization during the hearing, but promised to quickly craft "protective" risk management rules on a host of chemicals.

He highlighted a passage from the letter that reads, "We recommend beginning with chemicals with consumer product use that also affect people in communities most burdened by both environmental health hazards and non-chemical stressors that contribute to social vulnerability."

Fischer said EPA already has access to data it could use for that step, and is likely to agree with the committee's goal.

"So, what CHPAC is articulating in the letter is, 'Look, you have CDR data that can pinpoint consumer product use, you can tie that into TRI data to determine where those releases are of those particular chemicals for consumer use, and then you can add some data from the social vulnerability aspects of the communities surrounding those facilities,' he said.

TSCA Data

Fischer said the combination of TRI and CDR data could be key to targeting chemicals that threaten vulnerable communities specifically. "[I]f you overlay all that together, perhaps you can prioritize those chemicals that are most impactful from a social...

CEH Targets Chevron Phillips In Push Against ‘Widespread’ CDR Violations

Maria Hegstad, Inside TSCA

<https://insideepa.com/tsca-news/ceh-targets-chevron-phillips-push-against-widespread-cdr-violations>

The Center for Environmental Health (CEH) is vowing to sue the Chevron Phillips Chemical Company (CPC) over what the group says are chronic violations of the TSCA Chemical Data Reporting (CDR) program, but says those claims are only “the tip of the iceberg,” and is urging EPA to address “widespread” CDR violations in the chemical sector.

CEH on May 11 announced that it filed a notice of intent (NOI) to sue CPC over its alleged CDR violations in February, saying the company has failed to report its imports of more than 359 million pounds of benzene and more than 60 million pounds of dichlorobenzene (DCB) between 2013 and 2015, a span that covers the last two Toxic Substances Control Act (TSCA) CDR cycles.

The group claims that when it compared publicly available CDR data with CPC’s import records, it found that while the company imported millions of pounds of benzene in 2013, 2014 and 2015 “from its affiliates in India,” CEH had “not identified any Form Us in EPA’s CDR database for the 2016 reporting cycle that reflect [CPC’s] imports of benzene.”

CDR requires companies to file a “Form U” that reports their imports and manufacturing of regulated chemicals that meet certain thresholds, along with separate requirements to submit use, exposure and other data. Those materials were key to the 10 TSCA evaluations of existing chemicals completed by the Trump EPA, and for some chemicals represented the agency’s only source of industrial exposure data.

“CDR reporting is not just paperwork stuff, it’s information that EPA really uses. We certainly see that with the [TSCA] risk evaluations,” Bob Sussman, CEH counsel and a former EPA senior official, said in an interview with Inside TSCA.

EPA opened a TSCA evaluation of DCB in 2020 as part of the second block of 20 existing chemicals it targeted for review under the reformed chemicals law, meaning additional CDR data on its use could have an immediate impact on the agency’s work. Sussman said there are “two different [isomers of] DCB that EPA is evaluating, ortho and para, it seems that both are involved here.”

He added that CDR also represents “information that can be important to communities that want to know what chemicals are present at plants and being used in facilities that are near” them, with potential implications for environmental justice since many facilities’ neighbors are low-income communities of people of color.

CDR “is a critical tool in informing communities of chemical risks and enabling EPA, state, and local agencies to protect public health,” CEH CEO Michael Green said in a statement announcing the NOI.

But the group says CPC is just one of a host of companies have failed to file those reports and is calling on EPA to enforce the CDR program more aggressively.

“We believe these violations are the tip of the iceberg within the industry and CDR non-compliance is likely widespread and significant,” Sussman said in the CEH May 11 statement. “Non-profit groups like CEH can do only so much to deter violations if EPA does not effectively use the enforcement tools at its disposal to find and penalize violators.”

And Sussman told Inside TSCA, “Hopefully this is a bit of a wakeup call to the EPA enforcement people that they need to be doing more. They could be auditing CDR compliance in the same way that we did: pick a few chemicals, see who imported and see if they filed CDR reports. It’s not hard to do.”

He said CEH is also comparing other companies’ CDR data to their publicly available import records, including from commercial services, but declined to provide details. “Suffice it to say, it’s not hard to find failures to report if you look for them. . . . I think there will be other announcements before long,” he said.

However, he conceded that comparisons are more difficult for domestic manufacturing. "I'm not sure how to do that. . . . But we do need a quality check for domestic manufacture."

Legal Claims

CEH's statement says the unreported CPC benzene...

EPA's TSCA Announcements Spark Stakeholder Clashes On Next Steps

N/A, Inside TSCA

<https://insideepa.com/tsca/insider>

EPA's recent announcements on TSCA policies -- from new-chemicals approvals to pending evaluations of existing substances -- are sparking competing stakeholder clashes on how officials should proceed, including over the reach of the agency's legal authority and which tools it should use to regulate per- and polyfluoroalkyl substances (PFAS).

Environmental groups have praised the Biden administration for its pledge to clamp down on exemptions from the Toxic Substances Control Act (TSCA) new-chemical review process for some PFAS, and some are going farther to urge EPA to also tighten its significant new use rule (SNUR) governing a subset of the chemicals, especially as surface coatings.

But an industry attorney says dropping the exemptions could deprive regulators of a useful tool for limiting production and distribution of the toxic chemicals.

And EPA's call for comments on which uses to scrutinize in its industry-requested risk evaluation of four ethanone chemicals, which are often used to add fragrances to consumer products, is sparking competing arguments on how broad TSCA requires those evaluations to be.

Environmental, labor and science groups are warning that the narrow evaluation sought by manufacturers would unlawfully exclude several common conditions of use, and say that if the agency relies on industry-provided data when conducting the reviews it risks allowing companies to manipulate the record in hopes of securing lenient risk findings.

Meanwhile, fragrance makers say TSCA gives EPA only limited authority to evaluate and regulate the chemicals at all, because when used in "personal care products" they fall under the Food and Drug Administration's (FDA) authority instead -- and that even manufacturing of chemicals bound for those uses is outside TSCA's remit.

Meanwhile, another industry group, representing manufacturers of construction and agriculture equipment, is poised to ask the agency to greatly narrow its regulation of a closely watched flame retardant. The Association of Equipment Manufacturers (AEM) is circulating draft comments that say Trump-era limits on products made with phenol, isopropylated phosphate (3:1), or PIP, are unlawfully broad and could force wide swaths of the industry to shut down if enforced.

EPA has already loosened enforcement of its PIP rule, but AEM is warning that without a substantive rewrite, entire facilities could cease operating when the "no-action assurance" expires in September.

Manufacturers Outline Push For Broad PIP Exemptions In Final PBT Rules

Off-road equipment manufacturers will ask EPA to greatly scale back Trump-era TSCA limits on processing or distributing products made with the flame retardant phenol, isopropylated phosphate (3:1), or PIP, raising new requests for critical-use exemptions along with legal arguments that the current rules are unlawfully strict.

Draft comments circulated by the Association of Equipment Manufacturers (AEM) and reviewed by Inside TSCA argue that several of the restrictions EPA placed on PIP in its Jan. 6 rulemaking will interfere with "critical" uses where no

ready substitute exists, or lack underlying risk findings required by the Toxic Substances Control Act (TSCA).

AEM represents construction and agriculture equipment manufacturers.

How the Biden administration responds to those requests could set the stage for further battles and potential litigation over the five rules EPA issued late in the Trump administration under TSCA's streamlined process for regulating "persistent, bioaccumulative and toxic" (PBT) chemicals, including PIP, without a risk evaluation.

The agency's latest announcement on PFAS is also prompting warnings on unintended consequences, from an industry attorney who says the low-volume exemptions that officials have pledged to scale back are actually useful tools to limit production of toxic chemicals.

EPA Plan To Drop PFAS LVEs Could Sacrifice 'Restraint' On Chemicals' Use
An industry attorney says...

State Health Department Begins Measuring PFAS Concentrations In Firefighters

Brett Dahlberg, WCMU

<https://www.wkar.org/post/state-health-department-begins-measuring-pfas-concentrations-firefighters#stream/0>

Michigan's state Department of Health and Human Services has begun testing some firefighters for PFAS in their blood.

PFAS is a family of chemicals often used in firefighting foams. They've been linked to health problems including cancer and developmental disorders.

The state will enroll hundreds of firefighters in the study -- offering a \$25 gift card to encourage participation -- over the next three years.

Priya Shimanani is the lead epidemiologist on the project. She said her team will ask detailed questions to hundreds of firefighters who agree to be in the study.

The questions will cover the firefighters' job duties and also environmental factors that might contribute to higher PFAS concentrations, like where their drinking water comes from or whether they eat certain packaged foods.

Jennifer Gray, an environmental toxicologist with the health department, said the answers to those questions will help the department find out what types of firefighting tasks are most likely to increase the amount of PFAS in a firefighter's blood.

"Measuring of an exposure or knowing how much of the chemical people are exposed to, how much they have in their bodies, is an important step in answering questions about what health outcomes could happen," Gray said.

If the state can find links between certain firefighting activities and higher concentrations of PFAS in the blood, it can make better safety rules to protect firefighters from the chemicals, said Gray.

A Pesticide Linked to Brain Damage in Children Could Finally Be Banned

Reynard Loki, EcoWatch

<https://www.ecowatch.com/chlorpyrifos-ban-2652976387.html>

A federal appeals court has ruled that unless the Environmental Protection Agency (EPA) can prove that the pesticide chlorpyrifos is safe, it must be banned. The chemical, which has been widely used on agricultural crops for more than 50

years, has been linked to neurological development issues in children, with mounting evidence implicating its role in autism, ADHD, motor skills and loss of IQ. In the 2-to-1 ruling on April 29, judges on the U.S. Court of Appeals for the 9th Circuit gave the federal government 60 days to either rescind all uses of chlorpyrifos related to food or to show evidence that in certain cases it is safe for public health.

In the majority opinion in the case *League of United Latin American Citizens v. Regan*, which was filed in 2007, Judge Jed Rakoff, a Clinton appointee, wrote, "[T]he EPA has spent more than a decade assembling a record of chlorpyrifos's ill effects and has repeatedly determined, based on that record, that it cannot conclude, to the statutorily required standard of reasonable certainty, that the present tolerances are causing no harm," adding that "EPA's egregious delay exposed a generation of American children to unsafe levels of chlorpyrifos." Rakoff was joined by Judge Jacqueline Nguyen, an Obama appointee.

"Yet, rather than ban the pesticide or reduce the tolerances to levels that the EPA can find are reasonably certain to cause no harm, the EPA has sought to evade, through one delaying tactic after another, its plain statutory duties," Rakoff wrote in the opinion, in which he stopped short of requiring the agency to ban the chemical, but left little room to keep it on the market. "The EPA must act based upon the evidence and must immediately revoke or modify chlorpyrifos tolerances." Pregnant women and their fetuses, young children and farmworkers are particularly at risk from chlorpyrifos, which was first registered for use in 1965.

"There are numerous studies showing that exposure to chlorpyrifos in the womb harms children's brain development," said Dr. Warren Seigel, chair of New York State American Academy of Pediatrics. "The science is clear, and this pesticide should have been banned years ago."

The ruling "virtually guarantees" that the EPA will revoke food-related applications of chlorpyrifos, according to dissenting Judge Jay Bybee, a George W. Bush appointee, who argued that his colleagues overreached and "misread" the agency's obligations to review specific uses of the chemical that it had previously determined were safe. He criticized the majority, saying that it "substituted its own judgment for EPA's decision."

The EPA is reviewing the ruling, saying in a statement that the agency is "committed to helping support and protect farmworkers and their families while ensuring pesticides are used safely among the nation's agriculture. ... EPA will continue to use sound science in the decision-making process under the Federal Insecticide, Fungicide and Rodenticide Act" (FIFRA).

The ruling comes nearly two years after the Trump administration rejected a proposed Obama-era ban of the controversial pesticide, keeping it on the market despite aggressive calls against its continued use by public health and environmental groups. The Trump EPA decision, made in July of 2019, was a major gift to Dow Chemical, the maker of the pesticide, in what appeared as an act of quid pro quo. On December 6, 2016, less than a month after Trump's election, the agrochemical giant donated \$1 million to his inaugural committee. Then, on January 17, 2017, just three days before Trump was sworn into the Oval Office, Dow filed a petition with the EPA to reject the Obama-era proposal to ban the pesticide. On March 29, 2017, then-EPA administrator Scott Pruitt announced his decision to cancel the proposed ban.

"This is what we now know is the modus operandi of Trump and his EPA: corruption couched as policy," said Ken Cook, president of the nonprofit Environmental Working Group, following Pruitt's...

The main ingredient in RoundUp doesn't just kill plants. It harms beetles, too.

Philip Kiefer, Popular Science

<https://www.popsci.com/science/roundup-glyphosate-harms-beetles/>

Across the world, insects are in decline. Ubiquitous species, like the rust-patched bumblebee and monarch butterfly, are now rarities, and studies in Europe have found catastrophic crashes in the total number of flying bugs.

This rare 'Finding Nemo' fish mysteriously washed up on a California beach

There are overlapping causes of the decline, from habitat loss to electric light. Agricultural chemicals are almost certainly key, like the neonicotinoid pesticides involved in the catastrophic collapse of monarch populations. But it's not just pesticides: new research implicates glyphosate, one of the world's most common herbicides, as part of the problem, though in an unexpected way.

In the well-studied sawtooth grain beetle, high doses of glyphosate, better known by its US brand name, RoundUp, disrupts a crucial relationship with symbiotic bacteria, weakening the beetles' exoskeletons.

Glyphosate is generally thought to kill only plants because it targets a specific molecular pathway, called the shikimate pathway, that doesn't exist in animals. (Some studies have linked the chemical to human cancer, although other peer-reviewed research—funded in part by Monsanto—hasn't found a link.)

But sawtooth grain beetles rely on a symbiotic relationship with a particular type of (unnamed) bacteria to build their shells. That bacteria in turn uses the shikimate pathway to manufacture the raw building blocks the beetles need.

In fact, that's one of the only things it does. According to Engl, the bacterium appears to have taken shelter inside the beetles for so long that it has shed much of its genome, leaving it "fully dependent on the host."

"They were under selective pressure to just perform this unique function," explains Tobias Engl, who studies insect symbiosis at the Max Planck Institute for Chemical Ecology and is a lead author on the study. "Now they live only to synthesize aromatic amino acids."

The beetles depend on the bacteria for those amino acids—particularly one called tyrosine—during their metamorphosis from larva into adulthood. During that period, they need tyrosine to harden their extra-hard exoskeleton, or cuticle. That puts them in a bind: while they metamorphosize, they can't eat. But they also can't store enough tyrosine to tide them over, because the chemical is toxic in high concentrations.

"They need another way to cope," Engl says. "Either by creating nontoxic storage conditions, or having a partner that delivers the components just when they're needed"—the bacteria.

Glyphosate appears to kill off those partners. After exposure to the chemical, the beetles make softer, weaker shells. It doesn't kill them outright, but it leaves them more vulnerable. "They are doing way worse," Engl says. "Their cuticle is thinner, and this is creating a higher risk of desiccation and higher mortality."

The researchers exposed beetles to high levels of glyphosate, comparable to the amount a field is sprayed with the chemical. Engl says more research will be needed to show how beetles are affected by lower, persistent levels. But before the study, it wasn't clear that the beetles would even pass environmental glyphosate along to their internal bacterial partners.

The sawtoothed grain beetle is a crop pest, but Engl says it's a model for all kinds of other beetles, which constitute about a quarter of all known animal species. "[The beetle] is generally used by us to understand the associations between insects, their microbial partners, and their ecological importance, so it's a proxy for many insects," Engl says.

Previous research has found similar symbiotic relationships in other beetle species as well as in ants, which have the same hard cuticles. That research hasn't investigated glyphosate specifically, but the chemical has been found to disrupt symbiosis in tsetse flies, and to disturb the gut biome of honeybees.

"They are part of the natural diversity of insects out there. If [other insects] are susceptible to...

US EPA, industry groups condemn unproven claims of antimicrobials' protection against Covid-19

Leigh Stringer, Chemical Watch

<https://chemicalwatch.com/263963/us-epa-industry-groups-condemn-unproven-claims-of-antimicrobials-protection-against-covid-19>

Marketing can provide a 'false sense of security' to consumers

The US EPA and industry groups have condemned unproven marketing claims that imply antimicrobials in certain products can protect consumers against the Covid-19 virus.

The EPA, the American Chemistry Council's Center for Biocides Chemistry (ACC CBC) and some companies have denounced the use of these claims to sell products.

Their disapproval follows a warning statement – published last month by a multi-stakeholder group in the building industry – against the "unproven" health claims for antimicrobials in building products that have surfaced amid the threat posed by the pandemic.

This has generated "significant new demand" for added antimicrobials, including increased calls for their use in the built environment, for example in paints, door knobs and countertops.

Members of the CBC have seen a proportionally greater demand, particularly in recent months as the construction sector "catches up" to pre-pandemic growth.

And global carpet and flooring manufacturer Shaw Industries told Chemical Watch that the industry was "flooded" last year with products advertised as containing antimicrobials, often with statements that alluded to offering safety and protection.

"To some consumers, these statements may have been interpreted as protecting people from viruses and bacteria when, in fact, the most common purpose for the use of antimicrobials is to protect the product from microbe growth and odours (from moisture etc)," said Shaw's director of sustainability Troy Virgo.

The ACC CBC said its "customers may have an increased desire to make claims against the novel coronavirus. But they are well aware that they must first make enquiries to their ingredient suppliers to see whether such claims would be legitimate."

The EPA stressed that it evaluates claims about antimicrobial disinfectants' ability to kill viruses, but does not do so about their ability to reduce disease.

The agency's review and approval of product claims, safety and efficacy is required before pesticides – including disinfectants/antimicrobials – are distributed or sold.

It recently published interim guidance to companies on how to support claims that a product provides an ongoing antimicrobial effect beyond the initial time of application, ranging from days to weeks to months. This is known as residual efficacy. The guidance specifies scientific testing requirements for two different types of residual products:

supplemental residual antimicrobial products work within two hours of a virus or bacteria coming into contact with a surface and can remain effective for weeks to years. They can supplement, but do not replace, routine cleaning and disinfection and, currently, only certain copper alloys have met the EPA's criteria for inclusion; and residual disinfectants, by contrast, must clear a higher standard of efficacy to meet the EPA's disinfection standard. There are currently none registered.

Some antimicrobial pesticides called 'materials preservatives' protect articles from odour, discolouration or deterioration by acting over time against bacteria and mould. Claims that articles treated with them are effective against viruses and bacteria that cause human illness are unlawful, the EPA said.

"It is unlikely that any article treated with a materials preservative has significant efficacy against the Sars-Cov-2 coronavirus," the agency said, adding that they are not appropriate for controlling Covid-19.

The EPA's compliance advisory document said it is receiving a steady stream of tips offs and complaints concerning potentially false or misleading, including efficacy, claims, associated with antimicrobials and devices.

"EPA intends to pursue enforcement against products making false and misleading claims regarding their efficacy against the coronavirus," the document added.

'False sense of security'

The CBC said its members support the EPA's registration process and "condemn false claims...

EPA Begins Environmental Justice Consultations on Risk Management Rulemakings for Asbestos, Part 1: Chrysotile Asbestos and PV29

Lynn Bergeson and Carla Hutton, Bergeson & Campbell Blogs

<http://www.tscablog.com/entry/epa-begins-environmental-justice-consultations-on-risk-management-rulemaking>

On May 12, 2021, the U.S. Environmental Protection Agency (EPA) began environmental justice consultations regarding the development of risk management actions under Section 6(a) of the Toxic Substances Control Act (TSCA) for Asbestos, Part 1: Chrysotile Asbestos and Pigment Violet 29 (PV29). EPA will hold two identical consultation webinars, on June 1, 2021, and June 9, 2021. EPA states that it is offering these repeated sessions to increase opportunities for participation. Both sessions will provide an overview of the TSCA risk management requirements, the findings from the final risk evaluations, the tools available to manage the unreasonable risks from Asbestos, Part 1: Chrysotile Asbestos and PV29, and an opportunity for input on environmental justice concerns. The consultations are open to the public, and EPA is inviting national, local, and non-governmental organizations, communities, and other interested stakeholders to participate. The environmental justice consultation period end August 13, 2021.

EPA states that in addition to these environmental justice consultations, it is implementing a "robust outreach effort" on risk management that includes consultations with small businesses, state and local governments, and tribes. There will also be an open public comment period on proposed risk management actions. More information on EPA's final risk evaluation for Asbestos, Part 1: Chrysotile Asbestos is available in our January 4, 2021, memorandum and on EPA's final risk evaluation for PV29 in our January 25, 2021, memorandum.

Senate Committee Holds Hearing on Nominee for EPA Assistant Administrator for Chemical Safety and Pollution Prevention

N/A, National Law Review (Bergeson & Campbell)

<https://www.natlawreview.com/article/senate-committee-holds-hearing-nominee-epa-assistant-administrator-chemical-safety>

On May 12, 2021, the Senate Committee on Environment and Public Works held a hearing on several Department of the Interior and U.S. Environmental Protection Agency (EPA) nominees, including Michal Freedhoff, Ph.D., to be Assistant Administrator for the Office of Chemical Safety and Pollution Prevention (OCSPP). In her opening statement, Dr. Freedhoff stated that during her time working for the legislative branch, she believes that she "earned a reputation for being fair, approachable, substantive, and able to craft consensus by bringing people with disparate viewpoints together to effectively solve problems." Dr. Freedhoff intends to bring a spirit of collaboration to the role of Assistant Administrator that would include ensuring chemical safety under the Toxic Substances Control Act (TSCA), providing safe, effective tools for farmers to protect the food supply under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and working to incentivize more sustainable practices and products in pollution prevention programs. Dr.

Freedhoff testified that if confirmed, she will ensure that the activities of OCSPP are conducted transparently using the best available science and will be informed by EPA's expert career staff. Dr. Freedhoff committed that all OCSPP decisions will be well documented and transparently made, and that she will seek and incorporate input from all stakeholders.

Senator Shelley Moore Capito (R-WV), Ranking Member of the Committee, asked Dr. Freedhoff about EPA's delay in regulating per- and polyfluoroalkyl substances (PFAS). According to Dr. Freedhoff, the delay is partly due to gaps in the research. Dr. Freedhoff noted that the Committee's recent PFAS legislation directs EPA's Office of Research and Development to find a way to prioritize PFAS. OCSPP efforts to address PFAS include the Toxics Release Inventory (TRI) language that Capito co-authored and that will give EPA information on which PFAS are being released into the environment; a proposed reporting rule under review at the Office of Management and Budget (OMB) that will provide EPA a snapshot of what is in commerce; and a recently announced policy designed to prevent unsafe new PFAS from entering commerce.

Committee Chair Thomas Carper (D-DE) stated that he has heard from environmental groups that disagree with EPA's assumption that workers will always be wearing protective gear, while companies feel that EPA made unrealistic assumptions about risks to workers. Carper asked Dr. Freedhoff how workers' safety concerns should be addressed. Dr. Freedhoff responded that she welcomes input from industry that has information that EPA needs to make its decisions. If industry shows OCSPP that the measures they have taken to protect workers is enough to address the risk, then the rule is just going to say "keep on doing what you're doing." Dr. Freedhoff thinks that EPA can do a better job with risk communication. TSCA requires EPA to consider potentially exposed and susceptible subpopulations, which includes workers, but stating that a risk exists to workers in the absence of protections does not mean the protections are absent at chemical companies. Dr. Freedhoff stated that OCSPP will do better in the future to provide context that is important for everyone to understand.

Senator Sheldon Whitehouse (D-RI) asked, for the record, how EPA will respond when people come forward to disclose things that were done wrong at EPA in the past. Whitehouse wants to know whether they will be told here is the system for dealing with their concerns, here is how EPA is going to hear them out, and here is EPA's response plan for the predicament that it has been left.

Senator Cynthia Lummis (R-WY) commented that one of OCSPP's duties is to weigh the benefits and risks associated with chemicals, and she asked how Dr. Freedhoff will do that. Dr. Freedhoff responded that both TSCA and FIFRA require EPA to consider costs, benefits, and risks. Under TSCA, Congress...

100% of breast milk samples tested positive for toxic "forever chemicals"

N/A, Safer Chemicals, Healthy Families

<https://saferchemicals.org/2021/05/13/100-of-breast-milk-samples-tested-positive-for-toxic-forever-chemicals/>

New study finds that newer PFAS chemicals build up in people, despite opposite claims made by the chemical industry. Toxic PFAS is used in food packaging, clothing, and other products, but national regulation lags behind state and corporate actions.

SEATTLE, WA—Today a new study finding toxic chemicals in 100% of breast milk samples tested was published in Environmental Science & Technology. Scientists from Toxic-Free Future, Indiana University, the University of Washington, and Seattle Children's Research Institute led the research, which shows that toxic PFAS (per- and polyfluorinated substances)—including new generation compounds currently in use—build up in people. Despite chemical industry assurances that current-use PFAS do not build up in people, the study finds detections of these chemicals in breast milk to be on the rise globally and doubling every four years.

Previous reports have confirmed that companies put PFAS chemicals in a wide range of everyday products, from food packaging and clothing to carpet and upholstery. States and retailers are starting to take action to restrict these chemicals in products, but federal regulations are needed to prevent the use of PFAS or other chemicals that can build

up in breast milk in consumer products.

This study, the first since 2005 to analyze PFAS in breast milk from mothers in the United States, found that 50 out of 50 women tested positive for PFAS, with levels ranging from 52 parts per trillion (ppt) to more than 500 ppt. Breast milk samples were tested for 39 different PFAS, including 9 current-use compounds. Results found that both current-use and phased-out PFAS contaminate breast milk, exposing nursing infants to the effects of toxic chemicals. A total of 16 PFAS were detected with 12 found in more than 50% of the samples. The levels of PFAS that are currently in use in a wide range of products are rising in breast milk.

“We now know that babies, along with nature’s perfect food, are getting toxic PFAS that can affect their immune systems and metabolism,” explains Toxic-Free Future science director and study co-author Erika Schreder. “We shouldn’t be finding any PFAS in breast milk and our findings make it clear that broader phaseouts are needed to protect babies and young children during the most vulnerable stages of life. Moms work hard to protect their babies, but big corporations are putting these, and other toxic chemicals that can contaminate breast milk, in products when safer options are available.”

“These findings make it clear that the switch to newer PFAS over the last decade didn’t solve the problem,” explains Dr. Amina Salamova, study co-author and associate research scientist at Indiana University. “This study provides more evidence that current-use PFAS are building up in people. What this means is that we need to address the entire class of PFAS chemicals, not just legacy-use variations.”

Chemical companies make PFAS chemicals for their stain-resistant, water-repellent, and grease-proof properties. A growing body of scientific research has found links between exposures to PFAS and a wide range of health problems including a weaker immune system, cancer, increased cholesterol levels, pregnancy-induced hypertension, liver damage, reduced fertility, and increased risk of thyroid disease. Scientists are most concerned about the cumulative impact resulting from exposures to products, contaminated drinking water, and contaminated food.

“Exposures to PFAS can weaken our immune system, making a person more vulnerable to infectious diseases,” explains Dr. Sheela Sathyanarayana, study co-author and associate professor of pediatrics at the University of Washington and Seattle Children’s Research Institute. “It is especially concerning to see exposures happening through bioaccumulation in breast milk, which then exposes a nursing child during a critical period of development.”

Currently, national regulations fail to prevent PFAS from being used in most...

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